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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,882	02/16/2001	Marcia L. Peters	RSW9-2000-0138-US1	5204

7590 04/05/2004

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EXAMINER
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CAMPBELL, JOSHUA D

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 04/05/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application

09/784,882

Applicant(s)

PETERS ET AL.

Examiner

Joshua D Campbell

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-9,11-16 and 18-21 is/are rejected.
- 7) ☒ Claim(s) 3, 10, and 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                    |                                                                             |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date: _____                                                |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3</u> .                                                                   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. This action is responsive to communications: Application filed on 02/16/2001, Formal Drawings filed on 06/04/2001, and IDS filed on 04/10/2001.
2. Claims 1-21 are pending in this case. Claims 1, 8, and 15 are independent claims.

### ***Drawings***

3. The drawings were received on 06/04/2001. These drawings are accepted.

### ***Allowable Subject Matter***

4. Claims 3, 10, and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
5. The following is a statement of reasons for the indication of allowable subject matter:

Regarding dependent claims 3, 10, and 17, none of the references, either singularly or in combination, teach or fairly suggest the amended feature wherein the original URL is used to access the page if the new URL is found to be invalid. Himmel et al. teaches a method in which bookmarks are updated with new URLs based on redirect commands but does not disclose that the old URL is stored in case the new URL eventually goes valid. It is also well known to store visited URLs in history in any situation in conventional browsers, but it is neither well known or disclosed in the prior

art of record to use that historical URL as a backup for access of the web page that is now bookmarked at a new URL.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 1, 4-8, 11-15, and 18-21 are rejected under 35 U.S.C. 102(a and e) as being anticipated by Himmel et al. (hereinafter Himmel, US Patent Number 6,041,360, issued on March 21, 2000 from the IDS).

**Regarding independent claim 1,** Himmel discloses a method in which a redirect command is placed in a web page at an original URL contained in a bookmark (column 17, line 1-column 18 line 9 of Himmel). The web page is loaded and read by a browser program (column 17, line 1-column 18 line 9 of Himmel). The bookmark for that original URL is then updated with the new URL from the redirect command (column 17, line 1-column 18 line 9 of Himmel).

**Regarding dependent claim 4,** Himmel discloses a method in which the replacement step can be turned on or off by the user through the web browser (column 17, line 1-column 18 line 9 of Himmel).

**Regarding dependent claims 5 and 6,** Himmel discloses a method in which the web pages that can be read for redirect can be encoded in HTML and XML (column 21, lines 19-51 of Himmel).

**Regarding dependent claim 7,** Himmel discloses a method in which an update program can be run automatically to periodically check for URL changes and replace them (column 17, line 1-column 18 line 9 of Himmel).

**Regarding independent claim 8 and dependent claims 11-14,** the claims incorporate substantially similar subject matter as claims 1 and 4-7. Thus, the claims are rejected along the same rationale as claims 1 and 4-7.

**Regarding independent claim 15 and dependent claims 18-21,** the claims incorporate substantially similar subject matter as claims 1 and 4-7. Thus, the claims are rejected along the same rationale as claims 1 and 4-7.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. Claims 2, 9, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Himmel et al. (hereinafter Himmel, issued on March 21, 2000).

**Regarding dependent claim 2**, Himmel et al. does not disclose a method in which URLs from the original bookmark address are stored in history. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have stored the URL in a history because it is well known in the art to store all URLs visited in a browser's history (automatic bookmarking of user activity).

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**Regarding dependent claims 9**, the claim incorporates substantially similar subject matter as claim 2. Thus, the claim is rejected along the same rationale as claim 2.

**Regarding dependent claims 16**, the claim incorporates substantially similar subject matter as claim 2. Thus, the claim is rejected along the same rationale as claim 2.

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US Patent Number 6,012,098 (IDS)

US Patent Number 6,041,360 (IDS)

US Patent Number 5,978,828

US Patent Number 6,018,342

US Patent Number 6,037,934

US Patent Number 6,182,113

US Patent Number 6,208,995

US Patent Number 6,211,871

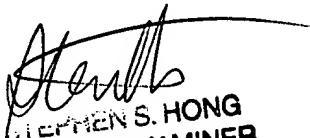
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D Campbell whose telephone number is (703)305-5764. The examiner can normally be reached on M-F (8:00 AM - 4:30 PM).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703)308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JDC  
March 26, 2004

  
STEPHEN S. HONG  
PRIMARY EXAMINER